

**Town Board Minutes**

**Meeting  
No. 28**

***Special Meeting***

**October 4, 1999**

## **Town Board Minutes**

**October 4, 1999**

**Meeting No. 28**

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 4<sup>th</sup> day of October 1999, at 6:30 PM and there were

**PRESENT:** ROBERT GIZA, SUPERVISOR  
NEIL CONNELLY, COUNCIL MEMBER  
WILLIAM MARYNIEWSKI, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
STEVEN SOCHA, PLANNING BOARD MEMBER  
MELVIN SZYMANSKI, PLANNING BOARD MEMBER  
MILDRED WHITTAKER, PLANNING BOARD MEMBER

**ABSENT:** REBECCA ANDERSON, PLANNING BOARD MEMBER  
FRANK DE CARLO, PLANNING BOARD MEMBER  
JOHN GOBER, PLANNING BOARD MEMBER  
DAVID MARRANO, PLANNING BOARD CHAIRMAN

**ALSO PRESENT:** ROBERT THILL, TOWN CLERK  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
ROBERT LABENSKI, TOWN ENGINEER

### **PURPOSE OF MEETING:**

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of three (3) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE  
HILLVIEW BAPTIST CHURCH SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Hillview Baptist Church site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCIL MEMBER STEMPNIAK WHO MOVED ITS  
ADOPTION,      SECONDED BY PLANNING BOARD  
MEMBER WHITTAKER,                      TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
HILLVIEW BAPTIST CHURCH SITE PLAN  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 11.25 acres.

The location of the premises being reviewed is situate at 26 Rehm Road.

### REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**No adverse effects noted**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No adverse effects noted**
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No adverse effects noted**
  - C.7 Other impacts (including changes in use of either quantity or type of energy).  
**No adverse effects noted**
- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

October 4, 1999

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	VOTED WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED WAS ABSENT
PLANNING BOARD CHAIRMAN MARRANO	VOTED WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

October 4, 1999

**IN THE MATTER OF THE SEQR REVIEW OF THE  
FLIX THEATER SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Flix Theater site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK  
WHO MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD SZYMANSKI, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
FLIX THEATER SITE PLAN  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately  $\pm .36$  acres.

The location of the premises being reviewed is situate at 4901 Transit Road.

## REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following: (except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**No adverse effects noted**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No adverse effects noted**
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No adverse effects noted**
  - C.7 Other impacts (including changes in use of either quantity or type of energy).  
**No adverse effects noted**
- D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

SEAL

October 4, 1999

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD CHAIRMAN MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

October 4, 1999



**IN THE MATTER OF THE SEQR REVIEW OF THE  
LEISURE CRAFT INC. SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Leisure Craft Inc. site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
PLANNING BOARD MEMBER SOCHA, TO WIT:

**RESOLVED**, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:  
LEISURE CRAFT INC.  
NEGATIVE DECLARATION**

**PLEASE TAKE NOTICE**, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Town of Lancaster  
21 Central Avenue  
Lancaster, New York 14086  
Richard J. Sherwood, Town Attorney  
716-684-3342

### NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 2 acres.

The location of the premises being reviewed is situate at Lancaster Parkway and Pavement Road..

### REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:  
(except as noted)
  - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.  
**No adverse effects noted**
  - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.  
**No adverse effects noted.** Be it noted that the site is not near an archaeological site. The property site has been previously disturbed.
  - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.  
**No adverse effects noted**
  - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.  
**No adverse effects noted**
  - C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.  
**No adverse effects noted**
  - C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.  
**No adverse effects noted**

C.7 Other impacts (including changes in use of either quantity or type of energy).

**No adverse effects noted**

D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s \_\_\_\_\_

Robert H. Giza, Supervisor  
Town of Lancaster

**SEAL**

October 4, 1999

and,

**BE IT FURTHER**

**RESOLVED**, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD CHAIRMAN MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

October 4, 1999

**ADJOURNMENT:**

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was  
adjourned at 7:05 P.M.

*Robert P. Thill*

Robert P. Thill, Town Clerk

**Town Board Minutes**

**Meeting  
No. 29**

***Regular Meeting***

**October 4, 1999**

## ***Town Board Minutes***

**October 4, 1999**

**Meeting No. 29**

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 4th day of October, 1999 at 8:00 P.M. and there were

**PRESENT:** NEIL CONNELLY, COUNCIL MEMBER  
WILLIAM MARYNIEWSKI, COUNCIL MEMBER  
MARK MONTOUR, COUNCIL MEMBER  
DONNA STEMPIAK, COUNCIL MEMBER  
ROBERT GIZA, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** ROBERT THILL, TOWN CLERK  
ROBERT LABENSKI, TOWN ENGINEER  
RICHARD SHERWOOD, TOWN ATTORNEY  
ROBERT LANEY, BUILDING INSPECTOR  
THOMAS FOWLER, CHIEF OF POLICE  
JOHANNA COLEMAN, RECEIVER OF TAXES  
CHRISTINE FUSCO, ASSESSOR  
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

### **PERSONS ADDRESSING TOWN BOARD:**

**Brett, James**, 659 Harris Hill Road, spoke to the Town Board on the following matters:

- Inquired as to what actual authority the Town Board has over County roads within the Town.
- Expressed concerns about the safety of Wehrle Drive due to the increased development in the area.

**Juszczak, Joseph**, 600 Pleasant View Drive, spoke to the Town Board on the following matters:

- Urged the installation of a stop sign at Stony Road and Pleasant View Drive.
- Urged better traffic control at the intersection of Harris Hill Road and Wehrle Drive.

**Schneggenburger, Roy**, 87 Stony Road, spoke to the Town Board on the following matters:

- Urged the Town Board to publish the legal notice of a proposed consolidation of the Tax Office into the Town Clerk's Office in the Buffalo News.
- Alleged illegal dumping at 6281 Broadway.
- Transfer of funds.
- Accused the Supervisor of not being interested in Stony Road residents.
- Wants a stop sign installed at the intersection of Stony Road and Pleasant View Drive.

**Zarbo, Richard**, 357 Stony Road, spoke to the Town Board on the following matter:

- Accused the Supervisor of politicking during the Town Board Meeting, namely blaming the former Republican Greco administration for uncontrolled subdivision development when Mr. Giza voted as a Council Member for approval of each of those subdivisions.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons regarding the use of Federal Community Development funds in the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSED USES:**

**Fred Hammer, 240 Ransom Road:**

- Upgrade Sidewalks in Village of Lancaster
- School District 5/6 building wheel chair accessible
- Aid for Senior Citizens who cannot perform maintenance tasks such as lawn mowing, storm window cleaning, etc.

**Donald Symer, 610 Columbia Avenue:**

- Would like money placed in the Consolidated Water District to benefit all taxpayers, including senior citizens.

**Roy Schneggenburger, 87 Stony Road:**

- Would like the funds to be used to replace broken sidewalk at the entrance to Police and Court Buildings at the Lancaster Town Center, 525 Pavement Road.

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY COUNCIL MEMBER CONNELLY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.



**PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:**

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Wehrle Associates for 2739 Wehrle Drive for an assisted living center.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPONENTS**

Joseph Keefe, attorney for the facility  
Richard Reese  
Roy Schneggenburger

**ADDRESS**

2659 Wehler Drive  
87 Stony Road

**OPPONENTS**

None

**COMMENTS & QUESTIONS**

None

ON MOTION BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER CONNELLY AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:55 P.M.

**PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER CONNELLY, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**RESOLVED**, that the minutes from the Joint Meeting of the Town Board and  
the Planning Board held on September 20, 1999, and the Regular Meeting of the Town Board  
held on September 20, 1999, be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER CONNELLY, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, the Twin District Volunteer Fire Company, Inc., by letter  
dated September 20, 1999, has requested the addition of the following members to the  
membership roster of said fire association,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms  
the addition to the membership of the Twin District Volunteer Fire Company, of the following  
individual:

**ADDITIONS:**

Paul M. Czyz  
48 Bentley Circle  
Lancaster, New York 14086

John S. Jeziorowski  
25 Running Brook Drive  
Lancaster, New York  
14086

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: RFIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York 14224, has requested the Town Board of the Town of Lancaster to accept work completed under a Street Lighting Public Improvement within Trentwood Trail Subdivision, Phase I, within the Town of Lancaster, and

**WHEREAS**, the Town Engineer has inspected the improvement and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney by letter to the Town Clerk dated September 17, 1999 has reported his favorable review of all necessary deeds, easements and documents required to be filed for the acceptance of this public improvement,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the following completed Street Lighting Public Improvement within Trentwood Trail Subdivision, Phase I, be and is hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 490 - Street Lights  
and,

**BE IT FURTHER**

**RESOLVED**, that a copy of this resolution be directed by the Town Clerk to the New York State Electric & Gas Corporation with a request to energize the street lights herein.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999  
File: RPIP (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER CONNELLY, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, the Chiefs of Police of the Town of Lancaster, Village of  
Lancaster, and the Village of Depew have jointly recommended to their various municipal  
boards that a set date and time be set aside for the observance of Halloween within the Town of  
Lancaster, including the Villages therein,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster, hereby declares  
Sunday, October 31, 1999, between the hours of 6:00 P.M. and 8:30 P.M., as the official period  
during which Halloween trick or treat activities may be observed within the Town of Lancaster,  
outside the Villages.

The question of the adoption of the following resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: RPR (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL MEMBER  
STEMPNIAK, TO WIT:

**WHEREAS**, a vacancy exists in the position of member of the Assessment Review Board of the Town of Lancaster due to the expiration of the term of appointment of Edward Weremblewski, and

**WHEREAS**, the Supervisor of the Town of Lancaster has recommended to the Town Board the reappointment of Edward Weremblewski to fill this vacancy,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Edward Weremblewski, 461 Aurora Street, Lancaster, New York 14086, be and hereby is appointed a member of the Town of Lancaster Assessment Review Board for the term of October 1, 1999 to September 30, 2004, and

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTEDYES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: RPERS.BD (P6)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER CONNELLY, TO WIT:

WHEREAS, upon reviewing the budgetary accounts of the Town of  
Lancaster, the Supervisor has determined the need for various adjustments to the 1999 Adopted  
Budget of the Town of Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED** that the following line item transfers be and are hereby  
approved in the 1999 adopted budget of the Town of Lancaster:

<b>General Fund - Townwide</b>	<b><u>Decrease</u></b>	<b><u>Increase</u></b>
A1990.411 Contingency Account	\$17,274	\$
A1910.411 Unallocated Insurance	27,526	
A1450.103 Elections, Inspectors' Wages	45,000	
A1450.410 Elections, Inspectors' Contractual Services		45,000
A1320.412 Auditor - Other Services (Consolidation Study)		3,500
A1220.210 Supervisor, Office Furniture & Equipment		5,000
A1430.412 Personnel, Professional Services - Other		5,000
A1989.411 Grants Consultant Fees		6,000
A8540.101 Drainage - Wages		25,000
A9089.813 Employee Benefits, FSA Service Charge		<u>300</u>
<b>General Fund - Townwide Totals:</b>	<b>\$89,800</b>	<b>\$89,800</b>

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: Budget/Transfers

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCIL  
MEMBER STEMPNIAK, TO WIT:

WHEREAS, by letter dated September 22, 1999, the Highway Superintendent  
has requested a transfer of funds between accounts in the 1999 Adopted Budget of the Town of  
Lancaster,

**NOW, THEREFORE, BE IT**

**RESOLVED** that the following line item transfers be and are hereby approved  
in the 1999 adopted budget of the Town of Lancaster:

Highway Fund - Town Outside Villages	<u>Decrease</u>	<u>Increase</u>
DB5140.101 Miscellaneous, Brush & Weeds - Wages	\$10,000	\$
DB5110.433 General Repairs - Resurfacing Materials	_____	<u>10,000</u>
<b>Highway Fund - Town Outside Villages Totals:</b>	<b>\$10,000</b>	<b>\$10,000</b>

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: Budget/transfers



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, Hillview Baptist Church, 26 Rehm Road, Depew, New York has submitted a Site Plan prepared by Kenneth R. Selden, Architect and dated August 10, 1999, for the construction of an 8,319 s.f. multi-purpose addition to the existing facility located at 26 Rehm Road, in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan, and by letter dated September 16, 1999, has recommended approval of this project, and

**WHEREAS**, a SEQR review was conducted on this project on October 4, 1999, and a Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan, Hillview Baptist Church and prepared by Kenneth R. Selden and dated August 10, 1999 for the construction of an 8,319 s.f. Multi-purpose addition to the existing facility located at 26 Rehm Road, in the Town of Lancaster.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: rasithlv.099

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER CONNELLY, TO WIT:

**WHEREAS**, Bella Vista Group, Inc., 6495 Transit Road, Bowmansville, New York has submitted a Site Plan dated August 20, 1999, for the construction of a 15,000± s.f. addition to the existing Flix Theater premises located at 4901 Transit Road, in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan, and by letter dated September 16, 1999, has recommended approval of this project, and

**WHEREAS**, a SEQR review was conducted on this project on October 4, 1999, and a Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Bella Vista Group, Inc., dated August 20, 1999 for the construction of a 15,000 ± s.f. addition to the existing Flix Theater premises located at 4901 Transit Road, in the Town of Lancaster, subject to the following condition:

-- Approval of any variances which may be required  
as a matter of law.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: rasitflx.099

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, Judith Kohlhas, 9238 Holland Glenwood Road, Glenwood, New York has submitted a Site Plan prepared by E & M Engineers and Surveyors, dated June 4, 1999, for the construction of a 6,564 s.f. office/shop/warehouse for Leisure Craft, Inc., to be located on premises at the northeast corner of Lancaster Parkway and Pavement Road in the Town of Lancaster, and

**WHEREAS**, the Planning Board has reviewed the plan, and by letter dated September 2, 1999, has recommended approval of this project, and

**WHEREAS**, a SEQR review was conducted on this project on October 4, 1999, and a Negative Declaration was issued at that time;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Site Plan., submitted by Judith Kohlhas and prepared by E & M Engineers and Surveyors, dated June 4, 1999 for the construction of a 6,564 s.f. office/shop/warehouse facility for Leisure Craft, Inc., on premises at the northeast corner of Lancaster Parkway and Pavement Road, in the Town of Lancaster, subject to the following condition:

-- There shall be no outside storage on the premises.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4 , 1999

File: rasilci.099

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER CONNELLY , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, it is essential to public safety that the Town of Lancaster continue  
its participation in the coordinated effort to reduce alcohol related traffic injuries and fatalities,  
and

**WHEREAS**, the County of Erie has tendered an application to the Town of  
Lancaster for participation in said coordinated effort for the year 1999;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Supervisor be and hereby is authorized and directed to  
execute on behalf of the Town of Lancaster, the 1999 Application with the County of Erie for  
participation in funding of alcohol related traffic safety law enforcement activities under the  
1999 STOP-DWI Grant Program.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: rastpdwi

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MONTOUR , WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, the Superintendent of Highways of the Town of Lancaster has  
advised the Town Board that he is in need of a new radio system in his department to assure  
continuity in communications within that department, and

**WHEREAS**, the radio equipment is available from a State bid which eliminates  
the need for competitive bidding under the General Municipal Law, and

**WHEREAS**, after due review and consideration the Town Board deems it in the  
public interest to approve the purchase of the proposed radio system;

**NOW, THEREFORE, BE IT**

**RESOLVED**, as follows:

1. The Town Board of the Town of Lancaster hereby approves the purchase of  
the radio system as proposed by the Superintendent of Highways of the Town of Lancaster in  
the sum not to exceed \$30,000.00 funds available from a DCJS Grant No. LG9999-8272 in the  
amount of \$20,000.00 and the balance to be drawn from the Public Safety Account.

2. This equipment shall be purchased from State bid without the need for  
competitive bidding.

The question of the adoption of the foregoing resolution was duly put to a vote on  
roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: rhwyrdio.099

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**WHEREAS**, the Town Board of the Town of Lancaster adopted a resolution on July 19, 1999 enacting a Local Law of the Year 1999, abolishing the office of Receiver of Taxes and Assessments, and transferring all powers and duties of that office to the office of the Town Clerk of the Town of Lancaster, and further designated as Chapter 2 of the Code of said Town, which Local Law is subject to mandatory referendum, and

**WHEREAS**, the Town Clerk thereafter filed the text of the mandatory referendum to abolish the office of the Receiver of Taxes and Assessments of the Town of Lancaster, with the office of the Erie County Board of Elections, and

**WHEREAS**, the Town Board is now required to cause the publication of a Legal Notice of the mandatory referendum to so abolish the office of the Receiver of Taxes and Assessments and transfer the powers and duties of such office into the office of the Town Clerk of the Town of Lancaster, effective January 1, 2000;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby directs the Town Clerk of the Town of Lancaster to publish a Legal Notice of the beforementioned mandatory referendum, in the Lancaster Bee, the official Newspaper, on **October 21, 1999**, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: rrefnot.099

**LEGAL NOTICE**  
**NOTICE OF MANDATORY REFERENDUM**  
**TOWN OF LANCASTER**

**LEGAL NOTICE** is hereby given by the Town Board of the Town of Lancaster that a proposition in the following form shall be included on the ballot in the General Election to be held on November 2, 1999:

**"Shall the Office of Receiver of Taxes and Assessments be abolished and all powers and duties of that office transferred to the Office of the Town Clerk of the Town of Lancaster, New York, effective January 1, 2000."**

TOWN BOARD OF THE  
TOWN OF LANCASTER

By ROBERT P. THILL  
Town Clerk

October 4, 1999

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER STEMPNIAK, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, the Town of Lancaster has undertaken the preparation and review of the joint Comprehensive Master Plan for the development of the Town of Lancaster, Village of Lancaster and Village of Depew, for which the municipalities received a grant from the County of Erie under the Community Development Block Grant program, to fund a portion of the cost of such a comprehensive plan, and

**WHEREAS**, the municipalities have heretofore held public information meetings on the proposed Comprehensive Master Plan, the required State Environmental Quality Review has been completed, and

**WHEREAS**, a Public Hearing is required pursuant to law prior to the Town adopting a comprehensive master plan;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that a Public Hearing will be held by the Town Board of the Town of Lancaster at the Town Hall, 21 Central Avenue, Lancaster, New York at 8:30 o'clock P. M., Local Time, on the 18th day of October, 1999 for the purpose of taking public comment on the adoption of the proposed Joint Comprehensive Master Plan and that Notice of such Public Hearing shall be published on October 7, 1999, in the Lancaster Bee, the official newspaper of the Town, such Notice to be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: rmstrpln.099



**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING**

**ADOPTION OF A PROPOSED JOINT COMPREHENSIVE  
MASTER PLAN FOR THE TOWN OF LANCASTER, VILLAGE  
OF LANCASTER AND THAT PORTION OF THE VILLAGE OF  
DEPEW LOCATED WITHIN THE TOWN OF LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Lancaster, New York, will hold a Public Hearing at the Town Hall, 21 Central Avenue, Lancaster, New York at 8:30 o'clock P.M. on the 18th day of October, 1999, for the purpose of taking public comment on the adoption of the proposed joint Comprehensive Master Plan for the development of the Town of Lancaster, Village of Lancaster and that portion of the Village of Depew located within the Town of Lancaster.

A copy of the proposed Comprehensive Master Plan is available for public review in the office of the Town Clerk during regular office hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**By: ROBERT P. THILL  
Town Clerk**

October 4, 1999

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCIL  
MEMBER MARYNIEWSKI, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by  
the Director of Administration and Finance, to wit:

Claim No. 10960 to Claim No. 11133 Inclusive

Total amount hereby authorized to be paid: **\$487,570.96**

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MARYNIEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER STEMPNIAK, TO WIT:

**RESOLVED** that the following Building Permit Applications be and are hereby  
approved and the issuance of these Building Permits be and are hereby authorized:

**CODES:**

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are  
waived for this permit.

(CSW) = Conditional sidewalk waiver.

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	Structure
6361		Juzdowski, Paul	24 Old Post Rd	Er. Pool
6362		Marrano/Marc Equity	19 Bentley Cir	Er. Sin. Dwlg
6363		Pleasantview Assoc	1 Westbury Ln	Er. Sin. Dwlg
6364		Marrano/Marc Equity	63 Trentwood Trl	Er. Sin. Dwlg
6365		Marrano/Marc Equity	76 Old Post Rd	Er. Sin. Dwlg
6366		Fialkiewicz, Frank II	6 Hidden Trl	Er. Pool
6367		Bruso, John	18 Old Post Rd	Er. Shed
6368		Fialkiewicz, Frank II	6 Hidden Trl	Er. Fence
6369		Michalski, Dennis	3 Dorchester Ct	Er. Pool
6370		Michalski, Dennis	3 Dorchester Ct	Er. Fence
6371		Nowak, Jerome	8 Hunters Dr	Er. Shed
6372		Rice, Howard	203 Stony Rd	Er. Fence
6373		Spruch, Ronald	4 Stream View Ln	Er. Gazebo
6374		Spruch, Ronald	4 Stream View Ln	Er. Deck
6375		Pat, Justin	25 Stone Hedge Dr	Er. Shed
6376		Kelly, Edwin	6 Quail Run Ln	Er. Shed
6377		Scime, Anthony	5166 William St	Res. Addition
6378		Hillview Estates Dev Co	43 Rehm Rd	Er. Sin. Dwlg
6379		Page, Laurie	25 Maple Dr	Er. Fence
6380		Fontana, Michael	44 Michael Anthony Ln	Er. Shed
6381		Fontana, Michael	44 Michael Anthony Ln	Er. Fence
6382		Transit French Assoc	4779 Transit Rd	Er. Temp. Sign
6383		Kjeldgaard, Ronald	316 Westwood Rd	Er. Shed
6384		Glenhollow Assoc	27 Cobblestone Ct	Er. Sin. Dwlg
6385		Glenhollow Assoc	32 Michael's Walk	Er. Sin. Dwlg
6386		Brookhaven Apt Homes	5844 Broadway	Er. Garage
6387		Glenhollow Assoc	34 Michael's Walk	Er. Sin. Dwlg
6388		Ferri, Ronald	8 Village View	Er. Fence
6389		Brookhaven Apt Homes	5844 Broadway	Er. Garage
6390		Lewis, Thomas	113 Michael's Walk	Er. Shed
6391		Glair, Francis	24 Clermont Ct	Er. Shed

6392	Walnut Creek JT Vent	248 Enchanted Forest N	Er. Sin. Dwlg
6393	Mayer, Daniel	734 Ransom Rd	Er. Sin. Dwlg
6394	Haentges, Mark	174 Stony Rd	Er. Garage
6395	Young, Paul	661 Erie St	Er. Deck
6396	A D Enterprises Ptnrshp	86 Newberry Ln	Er. Sin. Dwlg
6397	Cudmore, Sharon	190 Brunck Rd	Res. Addition
6398	Talarek-Philipott, Deb	214 Warner Rd	Er. Fence
6399	Marcinkowski & Zasowski	587 Pleasant View Dr	Er. Shed
6400	Marrano/Marc Equity	55 Woodgate Dr	Er. Sin. Dwlg
6401	Marrano/Marc Equity	88 Old Post Rd	Er. Sin. Dwlg
6402	Marrano/Marc Equity	51 Woodgate Dr	Er. Sin. Dwlg
6403	Marrano/Marc Equity	53 Trentwood Trl	Er. Sin. Dwlg
6404	Progressive Realty Assoc	6495 Transit Rd	Er. Sign Pole
6405	Progressive Realty Assoc	6495 Transit Rd	Er. Temp. Sign
6406	Reschke, William	466 Harris Hill Rd	Demolition
6407	Reschke, William	466 Harris Hill Rd	Er. Garage
6408	Essex Homes of WNY Inc	3 Willow Ridge Ln	Er.Sin. Dwlg

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File:Rbldg2

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER MARYNIEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER CONNELLY, TO WIT:

**WHEREAS**, Charles & Arlene Keys, 6281 Broadway, Lancaster, New York  
14086, have applied for a Dumping Permit for property situated at 6281 Broadway, within the  
Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

**WHEREAS**, the application was referred to the Building Inspector and Town  
Engineer for review and recommendation, and

**WHEREAS**, the Building Inspector and Town Engineer have completed their  
review and made a formal, favorable recommendation to the Town Board,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Charles & Arlene Keys, 6281 Broadway, Lancaster, New  
York 14086 be and are hereby authorized to dump and dispose of materials outside permitted  
sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant at  
6281 Broadway, said dumping to be in strict conformance with the application of the petitioner  
as filed in the Office of the Town Clerk, and,

**BE IT FURTHER**

**RESOLVED**, that **this permit is conditioned** in accordance with the  
recommendations of the Town Engineer and Building Inspector as follows:

1. Material shall be placed so that the grade of top falls to the north and a  
swale be developed along the east property line.
2. Fill shall consist of hard clay, stones or broken concrete. No building  
demolition material such as wood, asphalt shingles, asbestos tiles, etc. are  
permitted.
3. Access to the site shall be controlled to prevent unauthorized dumping of  
non permitted material.
4. Mud from truck tires shall be cleaned off the road at the completion of  
operations for that day and more frequently if deemed necessary.
5. Fill area shall be topsoiled and seeded.
6. Dumping will be allowed between the hours of 7 A.M. and 5 P.M.  
Monday through Saturday. No dumping shall be allowed on Sunday.

**BE IT FURTHER**

**RESOLVED**, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

**BE IT FURTHER**

**RESOLVED**, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

October 4, 1999

File: RPERMIT.DUM(8-9)

Council Member Connelly requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER MARYNIEWSKI, TO WIT:

**WHEREAS**, the Town of Lancaster has applied for a grant from the Division of Criminal Justice Services (DCJS) for the purpose of securing a grant to purchase a VHF Repeater Base Station and Twenty-four (24) Mobile Two-way Radios to provide for a more reliable emergency radio system for the Town of Lancaster for use in the Highway Department and Disaster Preparedness, and

**WHEREAS**, a grant in the amount of \$20,000. has been awarded to the Town of Lancaster for this purpose, and

**WHEREAS**, a grant contract has been forwarded by DCJS to the Town of Lancaster and must be executed by the Supervisor;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the contract between the Town of Lancaster and Division of Criminal Justice Services for the beforementioned grant.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER CONNELLY	VOTED YES
COUNCIL MEMBER MARYNIEWSKI	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

File: rgrant.hwy

**COMMUNICATIONS:**

- 534. Town of Cheektowaga Building Inspector to Town Clerk -  
Comments re: Draft Scope Document re: NEC Transit/William LLC. DISPOSITION  
= Planning Committee
- 535. Donald Symer to Town Board -  
Comments re: Comprehensive Plan for Villages of Depew and Lancaster and the  
Town of Lancaster. DISPOSITION = Received & Filed
- 536. Gary Palumbo, Senior Engineer, TVGA Engineering to Supervisor -  
Transmittal of Final Written Scope for NEC Transit/William LLC. DISPOSITION =  
Planning Committee
- 537. Twin District Fire Company to Town Clerk -  
Request Town Board approval for new members. DISPOSITION = Received & Filed
- 538. Town of Cheektowaga Building Inspector to Peter J. Smith & Company, Inc. -  
Request a copy of Comprehensive Plan be sent to the Town of Cheektowaga..  
DISPOSITION = Received & Filed
- 539. Roy Schneggenburger to Supervisor -  
Confirmation of comments from Town Board Meeting September 20, 1999.  
DISPOSITION = Received & Filed
- 540. Edward Schiller, Managing Engineer, TVGA Engineer to Supervisor -  
Conveyance of Final Written Scope for NEC Transit/William LLC. DISPOSITION =  
Planning Committee
- 541. Chief of Police to Planning Board Chairman -  
Review of site plan for Mays Tree Service Inc indicates no objections .  
DISPOSITION = Received & Filed
- 542. NYS Dept. of Environmental Conservation to Supervisor -  
Comments re: SEQR Lead Agency Designation, Wehrle Associates Assisted Living  
Facility, 2739 Wehrle Dr. DISPOSITION = Received & Filed
- 543. Cheektowaga Building Inspector to Supervisor -  
Transmittal of Site Plans re: 5074 Transit Road rezoning for 100 unit Senior Citizen  
Apartments. DISPOSITION = Received & Filed
- 544. NYSEG to Supervisor -  
Enclosure of "Year 2000 Readiness Disclosure August 1999." DISPOSITION =  
Received & Filed
- 545. EC Department of Environment and Planning to Supervisor -  
Advisement of Public Input Meetings for neighborhood improvements to serve low  
and moderate income residents. DISPOSITION = Received & Filed
- 546. NYS Dept. of Environmental Conservation to Supervisor -  
Designation of the Town as Lead Agency for SEQR Referral for proposed  
construction Warehouse/Office/Shop, N. E. corner Lancaster Parkway and Pavement  
Rd. DISPOSITION = Planning Committee
- 547. NYS Dept of State to Supervisor -  
Advisement of Dept. to embark on a project to revise the New York State Building,  
Fire and Energy Code. DISPOSITION = Town Attorney
- 548. NYS Office of Mental Retardation and Developmental Disabilities to Supervisor -  
Decision re: Section 41.34 of the Mental Hygiene Law Administrative Hearing  
Pertaining to 4 Cider Mill Court. DISPOSITION = Received & Filed



549. David J. Seeger, Esq. to Town Clerk -  
Seek inclusion in Town's final scope for the DEIS re: Rezoning Petition - NE corner  
of Transit and William St. DISPOSITION = Planning Committee
550. Town Clerk to Zoning Board Members, Building Inspector and Dep. Town Attorney -  
Transmittal of variance petitions for meeting to be held October 14, 1999.  
DISPOSITION = Received & Filed
551. Supervisor to Town Board -  
Transmittal of 2000 Tentative Budget. DISPOSITION = Received & Filed
552. Village of East Aurora to Town Board -  
Transmittal of resolution supporting Smart Growth legislative initiatives.  
DISPOSITION = Received & Filed
553. Town Attorney to Town Board, Planning Board, Town Clerk, Town Engineer and  
Building Inspector -  
Notice of SEQR Review October 4, 1999 re: site plans of Hillview Baptist Church,  
Flix Theater and Leisure Craft Inc. DISPOSITION = Received & Filed
554. Town Clerk to News Media -  
Notice of SEQR Review Meeting October 4, 1999 re: site plans of Hillview Baptist  
Church, Flix Theater and Leisure Craft Inc. DISPOSITION = Received & Filed
555. NYS Dept. of Environmental Conservation to Supervisor -  
Designation of Town as SEQR Lead Agency for site plan of Leisure Craft, Inc.  
DISPOSITION = Planning Committee
556. NYS Dept. of Transportation to Town Attorney -  
Comments re: SEQR Review of site plan for Lancaster Airport Development.  
DISPOSITION = Planning Committee
557. Adelphia Cable to Supervisor -  
Announcement of new programming service in the Town of Lancaster.  
DISPOSITION = Received & Filed
558. Keith Ashby Realty to Supervisor -  
Express appreciation for time and input re: property on Walden Avenue.  
DISPOSITION = Received & Filed
559. Highway Superintendent to Director of Administration and Finance -  
Request transfer of funds within the highway budget. DISPOSITION = Received &  
Filed
560. NYS Dept. of Public Service to Supervisor -  
Request Town issue Temporary Operating Authority to Parnassos, LP during  
negotiation of franchise renewal. DISPOSITION = Town Attorney
561. Erie County Dept. of Senior Services to Town Board -  
Transmittal of invitation to attend Public Hearing re: the future of aging services in  
the county. DISPOSITION = Received & Filed
562. Lancaster Central School District Clerk to Supervisor -  
Conveyance of resolution of the Board of Education Re: Real Property Tax Law  
Section 485-B Exemptions. DISPOSITION = Received & Filed
563. Dir. of Real Property Tax Services, Erie County to various towns -  
Notification of workshop titled "How To Present Your Budget Summary".  
DISPOSITION = Received & Filed
564. Citizens Against Retail Sprawl to Supervisor and all Town Board Members -  
Transmittal of signed protests against the NEC Transit/William rezone.  
DISPOSITION = Received & Filed

565. Roy Schneggenburger to Town Clerk & Supervisor -  
Expression of thanks for response to FOIL request of 9/20/99 and expression of  
disappointment that Supervisor or Clerk did not intercede on his behalf to obtain  
Police records. DISPOSITION = Received & Filed
566. Town Engineer and Building Inspector to Town Board -  
Recommend issuance of dumping permit for 6281 Broadway. DISPOSITION =  
Received & Filed

**ADJOURNMENT:**

ON MOTION OF COUNCIL MEMBER CONNELLY AND SECONDED BY THE  
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:15 P.M.

Signed Robert P. Thill  
Robert P. Thill, Town Clerk